

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE MACDONALD, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., a
Delaware corporation, TEZOS STIFTUNG, a
Swiss Foundation, KATHLEEN
BREITMAN, an Individual, ARTHUR
BREITMAN, an Individual, TIMOTHY
COOK DRAPER, an Individual, DRAPER
ASSOCIATES, JOHANN GEVERS, DIEGO
PONZ, GUIDO SCHMITZ-
KRUMMACHER, BITCOIN SUISSE AG,
NIKLAS NIKOLAJSEN, and DOES 1-100,
INCLUSIVE

Defendants.

Case No. 3:17-cv-07095-RS

**[PROPOSED] ORDER
CONSOLIDATING AND
COORDINATING CASES, APPOINTING
LEAD PLAINTIFF AND APPROVING
SELECTION OF COUNSEL FOR
FEDERAL SECURITIES CLAIMS, AND
APPOINTING INTERIM CLASS
COUNSEL FOR STATE LAW CLAIMS**

GGCC, LLC, an Illinois Limited Liability Company, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., a Delaware Corporation, TEZOS STIFTUNG, a Swiss Foundation, KATHLEEN BREITMAN, an Individual, and ARTHUR BREITMAN, an Individual,

Defendants.

Case No. 3:17-cv-06779-RS

ANDREW OKUSKO, individually and on behalf of all others similarly situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., THE TEZOS FOUNDATION, KATHLEEN BREITMAN, ARTHUR BREITMAN, and TIMOTHY DRAPER,

Defendants.

Case No. 3:17-cv-06829-RS

1 ANDREW BAKER, individually and on
2 behalf of all others similarly situated,

3 Plaintiff,

4 v.

5 DYNAMIC LEDGER SOLUTIONS, INC., a
6 Delaware Corporation, THE TEZOS
7 FOUNDATION, a Swiss foundation,
8 KATHLEEN BREITMAN, an individual,
9 ARTHUR BREITMAN, an individual,
10 JOHANN GEVERS, an individual,
11 STRANGE BREW STRATEGIES, LLC, a
12 California limited liability company, and
13 DOES 1 through 100 inclusive,

14 Defendants.
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Case No. 3:17-cv-06850-RS

*Removed from San Francisco County
Superior Court (Case No. CGC-17-562144)*

Having considered Trigon Trading Pty. Ltd.'s Motion for Consolidation Of Related Actions, Appointment as Lead Plaintiff, and Approval of Selection of Counsel (the "Trigon Motion"); David Lang, Ryan Coffey, and Alejandro R. Gaviria's Motion For Consolidation Of Related Actions, Appointment As Lead Plaintiff, And Approval Of Selection Of Counsel (the "Robbins Geller Group's Motion"); Nicolas Andreasson, Paul Martin, and Richard Reckenbeil Motion For Consolidation, Appointment As Lead Plaintiff, And Approval Of Selection Of Counsel (the "Tezos Investor Group's Motion"); GGCC, LLC, Pumaro, LLC, and Nick Anthony's Motion For Consolidation, Appointment Of Lead Plaintiff And Approval Of Lead Counsel Selection (the "GGCC Group's Motion"); the Motion Of Arman Anvari For Appointment As Lead Plaintiff And Approval Of Counsel filed in *MacDonald v. Dynamic Ledger Solutions, Inc., et al.*, No. 17-cv-07095-RS (the "Anvari State Case Motion"); and the subsequent Motion Of Arman Anvari For Appointment As Lead Plaintiff And Approval Of Counsel filed in *GGCC, LLC v. Dynamic Ledger Solutions, Inc.*, No. 3:17-cv-06779 (the "Anvari PSLRA Case Motion"); all responses in opposition to and in further support thereof as well as the arguments of counsel; and good cause appearing therefor, the Court ORDERS as follows:

1. The Trigon Motion is GRANTED and all other Motions are DENIED;
2. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, (1) *GGCC, LLC v. Dynamic Ledger Solutions, Inc., et al.*, No. 3:17-cv-06779, (2) *Okusko v. Dynamic Ledger Solutions, Inc., et al.*, No. 3:17-cv-06829, and (3) *Baker v. Dynamic Ledger Solutions, Inc., et al.*, No. 3:17-cv-06850, are hereby consolidated as *In re Tezos ICO Federal Securities Litigation*, No. 3:17-cv-06779 (the "Consolidated Action").

3. The file in Case No. 3:17-cv-06779 shall be the master file for every action in the consolidated action. The Clerk shall administratively close the other actions. When the document being filed pertains to all actions, the phrase "All Actions" shall appear immediately after the phrase "This Document Relates To". When a pleading applies to some, but not all, of the actions, the document shall list, immediately after the phrase "This Document Relates To,"

the docket number for each individual action to which the document applies, along with the last name of the first-listed plaintiff in said action.

4. All related class actions against any or all of the defendants that allege claims under the federal securities laws that are subsequently filed in, or transferred to, this District, shall be consolidated into the Consolidated Action. This Order shall apply to every such action absent a Court Order. A party objecting to such consolidation, or to any other provisions of this Order, must file an application for relief from this Order within ten days after the action is consolidated into the Consolidated Action.

5. This Order is entered without any prejudice to any party's right to apply for severance of any claim or action upon a showing of good cause.

6. Pursuant to the Private Securities Litigation Reform Act of 1995, Trigon is appointed as Lead Plaintiff for the Consolidated Action.

7. Pursuant to the Private Securities Litigation Reform Act of 1995, Trigon's selection of Block & Leviton LLP is approved and appointed as Lead Counsel for the Consolidated Action.

8. *MacDonald v. Dynamic Ledger Solutions, Inc., et al.*, No. 17-cv-07095-RS shall be coordinated with but not consolidated into the Consolidated Action.

9. All related class actions against any or all of the defendants that do not allege any federal securities claims that are subsequently filed in, or transferred to, this District, shall be consolidated into the *MacDonald* Action. This Order shall apply to every such action absent a Court Order. A party objecting to such consolidation, or to any other provisions of this Order, must file an application for relief from this Order within ten days after the action is consolidated into the *MacDonald* Action.

10. This Order is entered without any prejudice to any party's right to apply for severance of any claim or action upon a showing of good cause.

11. Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, Hagens Berman Sobol Shapiro LLP is appointed as interim class counsel for state law claims asserted in the *MacDonald* Action.

12. Within five court days of this Order, the parties in the *MacDonald* Action and the Consolidated Action shall meet-and-confer regarding the filing of a consolidated amended complaint in the Consolidated Action and a briefing schedule for Defendants' motions to dismiss the complaints in the *MacDonald* Action and the Consolidated Action, which shall be briefed simultaneously. The parties in the *MacDonald* Action and the Consolidated Action shall also meet-and-confer regarding coordination of discovery between the two actions, including, if necessary, a briefing schedule on motions to lift the PSLRA's automatic discovery in the Consolidated Action, impose a discovery stay in the *MacDonald* Action, or other similar motions.

13. If the parties can reach agreement within 30 calendar days, the parties shall file a joint stipulation setting forth the proposed briefing schedule and provisions regarding discovery. If the parties are unable to reach agreement within 30 calendar days, the parties shall file competing proposals along with supporting briefs not to exceed ten pages.

IT IS SO ORDERED.

DATED: _____

THE HONORABLE RICHARD SEEBORG
UNITED STATE DISTRICT JUDGE

Submitted by:

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Reed R. Kathrein
Reed R. Kathrein (139304)
Peter E. Borkon (212596)
Danielle Charles (291237)
715 Hearst Ave., Suite 202
Berkeley, CA 94710

1 Telephone: (510) 725-3000
2 Facsimile: (510) 725-3001
3 reed@hbsslaw.com
4 peterb@hbsslaw.com
5 daniellec@hbsslaw.com

6 Joel A. Fleming (SBN 281264)
7 Jacob A. Walker (SBN 271217)
8 **BLOCK & LEVITON LLP**
9 155 Federal Street, Suite 400
10 Boston, MA 02110
11 (617) 398-5600 phone
12 (617) 507-6020 fax
13 jake@blockesq.com
14 joel@blockesq.com

15 *Attorneys for Bruce MacDonald*